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Dated: May 10, 2004

Signature:

Paul B. Stephens

Docket No.: 29020/003A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Miller et al.

Application No.: 09/548,876

Group Art Unit: 3635

Filed: April 13, 2000

Examiner: Y. Horton

For: HEAT SHIELDED DOCK PAD

**BRIEF ON APPEAL**

Mail Stop Appeal Brief-Patent  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notice of Appeal mailed March 9, 2004 in connection with the above-identified patent application, Applicants respectfully submit the instant Brief on Appeal in accordance with 37 C.F.R. § 1.192.

**I. SUMMARY**

The present rejection should be removed because there is no express or inherent teaching in the art of a dock pad having the claimed heat shield or a heat shield having the claimed thermal conductivity properties. The patent office's reference to an unrelated listing of some example thermal conductivities does not establish any inherent properties of the materials actually referenced in the prior art.

**II. REAL PARTY IN INTEREST**

The above-referenced patent application has been assigned to Rite-Hite Holding Corporation, who is the real party in interest to this appeal. The assignment

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